**GOVERNMENT OF ANDHRA PRADESH**
**ABSTRACT**

General Administration (GENL.L&C) Department - Right of Children to Free and Compulsory Education Act, 2009 (Act 35 of 2009)- Cancellation of deputations of teachers who were working on deputation as P.As to Hon'ble Ministers/MPs/MLAs/MLCs/Z.P Chairman and other public representatives and repatriation to parent department with immediate effect- Orders –issued.

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**GENERAL ADMINISTRATION (GENL.L&C) DEPARTMENT**

**G.O.Rt.No.2086** **Dated:28.09.2016**

**Read the following:-**

1. Right of Children to Free and Compulsory Education Act, 2009 (Act 35 of 2009)
2. The Hon'ble Supreme Court Orders dated 13.07.2016 in Contempt Petitions Civil.No.532/2013 in WP Civil.No.631 / 2004 dt.13-07-2016.

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**ORDER:**

In the reference 1st read above GOI enacted Right of Children to Free and Compulsory Education Act, 2009 which has came into force from 1.4.2010. In Sub-Section (2) of Section 25 of the said Act "For the purpose of maintaining the Pupil-Teacher Ratio under sub- section (l) of Section 25, no teacher posted in a school shall be made to serve in any other school or office or deployed for any non-educational purpose, other than those specified in section 27 i.e the decennial population census, disaster relief duties or duties relating to election to the local authority or the State Legislature or Parliament as the case may be.

2. In spite of clear under Right of Children to Free and Compulsory Education Act, 2009 and orders issued in G.O.No.653 GAD, dt:13-12-2011 and G.O.Ms.No.654, GAD (SR) Dept, dt:13-12-2011, some of the teachers are working on deputation basis.

3. Now the Hon'ble Supreme Court of India in COMT.PET (C) No.532/2013 in WP (C) No.631/2004 has ordered on 13-07-2016 that "we must state without any kind of hesitation that teachers could not have been sent on deputation to function as Private Secretaries of the members of the Legislative Assembly of Ministers. If anyone is deputed, he must be immediately sent back".

4. Government after careful examination of the matter have decided to cancel all the orders issued so far to the teachers for deputation as P.As to Hon'ble Ministers/MPs/MLAs/MLCs/Z.P Chairman and other public representatives, and to repatriate to their parent department with immediate effect so as to comply the above orders of Hon'ble Supreme Court. Accordingly the orders of deputation issued so far to teachers to work as PAs to the above public representatives is hereby cancelled.

5. The public representatives concerned are requested to ensure that the said teachers are repatriated immediately to the education department so as to report back to schools to attend the academic work entrusted to them with immediate effect.

6. All the public representatives shall select the P.As i.e., other than teachers, in the cadre of Senior Assistants as per G.O.Ms.No.207, GA (SR) Department Dt.1.5.2001 read with G.O.Ms.No.476, GA (SR) Department, Dt.18.12.2001 and G.O.Ms.No.473, G.A (SR) Department, dt.4.7.2007 henceforth.

(P.T.O.)

7. All the District Collectors, the Director of School Education, the Director of Intermediate Education and the Director of Collegiate Education shall take immediate necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**LINGARAJ PANIGRAHI,**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**
**(GPM&AR & Coordination).**

To
All the District Collectors.
The School / Higher Education Department, A.P.Secretariat.
The Director of School Education/ Director of
Intermediate Education/ Director of Collegiate Education

**Copy to:-**
The P.S to Chief Secretary.
All the P.S to Hon'ble Minister's.
All the MPs/ MLA'S / MLCs and ZP Chairman.
P.S to Principal Secretaries to Hon'ble C.M.
P.S to Spl. Chief Secretary to Govt.,(GPM&AR & Coordn.).
The Chairman Legislature Council.
The Hon'ble Speaker by Assembly.
The Secretary State Legislature.

**// FORWARDED::BY ORDER //**

**SECTION OFFICER**